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Office of the Governor

May 8, 2018

The Honorable Steven T. Mnuchin
Secretary
U.S. Department of the Treasury
1500 Pennsylvania Avenue, NW
Washington, DC 20220

Dear Mr. Secretary:

This letter serves as a notification that the State of Nevada hereby modifies the nomination of census tracts for designation as Qualified Opportunity Zones under section 1400Z-1(b)(1) of the Internal Revenue Code, which was submitted on April 20, 2018. The State of Nevada formally nominates the tracts identified in the accompanying revised Opportunity Zone Nomination Tool for designation as Qualified Opportunity Zones (QOZ) under section 1400Z-1(b)(1) of the Internal Revenue Code.

The State of Nevada formally requests the previous nomination of census tract 32019960302 as an eligible non-LIC contiguous tract be withdrawn. The State nominates in its place census tract 32029970200 as an eligible non-LIC contiguous tract using the 2012-2016 American Community Survey (ACS) 5-year data from the United States Census Bureau. Census tract 32029970200 is contiguous with census tract 32019960201, a low-income (LIC) census tract nominated for designation as a QOZ in the original submittal on April 20, 2018, and included in the accompanying revised nomination. The attached 2012-2016 ACS 5-year data demonstrates that the median family income of census tract 32029970200 does not exceed 125 percent of the median family income of LIC census tract 32019960201.

While the nomination instructions, published by the Community Development Financial Institutions Fund (CDFI), state in section 4.1.5 "Nominations of Eligible Non-LIC Contiguous Tracts must be based on the 2011-2015 ACS 5-year data as presented in the Nomination Tool," we believe regulations published in Revenue Procedure 2018-16, 2018-9 I.R.B 383 provides flexibility to use the most recent available ACS 5-year data. Specifically section 3.07 states "On the other hand, in many cases, if a tract is eligible under the most recent available ACS 5-Year data, the tract is eligible to be nominated for designation. If the Information Resource, however, does not identify the tract as eligible, the nomination must be accompanied by an analysis demonstrating that eligibility, including appropriate supporting data from that ACS."

Should you have any questions, please contact Andrew Clinger in my office via email at aclinger@gov.nv.gov or via phone at 775.684.5667.

Sincere regards,

A handwritten signature in black ink, appearing to read "Brian Sandoval".

BRIAN SANDOVAL
Governor